

BOARD BILL NO. 169 CS INTRODUCED BY ALDERMAN CRAIG SCHMID

An Ordinance pertaining to impeding and interfering with pedestrian and vehicular traffic; repealing Section One, part 827.280, of Ordinance 57831, codified as Section 17.16.270 of the Revised Code of the City of St. Louis, and enacting in lieu thereof new provisions pertaining to the interference of pedestrian and vehicular traffic; containing a severability clause, penalty clause and an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE: FINDINGS.

1. The City of St. Louis is authorized to regulate the use of public highways, streets, boulevards, sidewalks, alleys, parks, public grounds, squares, wharves, bridges, viaducts, subways, and tunnels, pursuant to Article I, Section 1 (14) of the Charter of the City of St. Louis. Further, the City of St. Louis is authorized “[t]o define and prohibit, abate, suppress and prevent or license and regulate all acts, practices, conduct, business, occupations, callings, trades, uses of property and all other things whatsoever detrimental or liable to be detrimental to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the city and all nuisances and causes thereof.” Charter of the City of St. Louis, Article I, Section 1 (25). Moreover at Article I, Section 1 (33) of the Charter of the City of St. Louis, the City is empowered to “do all things whatsoever expedient for promoting or maintaining the comfort, education, morals, peace, government, health, welfare, trade, commerce or manufactures of the city or its inhabitants.”
2. The residents of, visitors to, businesses owners of, and taxpayers within the City of St. Louis have an interest in protecting themselves from the health and safety problems associated with having their reasonable movement as pedestrians or while in vehicles

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1 obstructed, impeded, interfered, hindered or delayed or being solicited for a ride,
2 employment, business or contributions while in their vehicles.

3 3. It has been determined that existing law does not sufficiently address the interest of
4 the public and the health and safety problems associated with interfering with pedestrian
5 and vehicular traffic, because the current law does not clearly define what behavior is
6 proscribed as impeding and interfering with pedestrian and vehicular traffic.

7 **SECTION TWO.** Section One, part 827.280, of Ordinance 57831, codified as Section
8 17.16.270 of the Revised Code of the City of St. Louis is hereby repealed.

9 **SECTION THREE. DEFINITIONS.**

10 As used herein:

11 1. **Public Place** means a street; roadway; sidewalk; alley; highway; bridge; overpass;
12 passageway; driveway entrance; entrance or exit to a parking lot or garage; bus stop; park;
13 median; and property (whether public or private) that is immediately adjacent to a street,
14 roadway, sidewalk, alley, highway, bridge, overpass, passageway, driveway entrance, entrance
15 or exit to a parking lot or garage, bus stop, park, or median.

16 2. **Public Building** means any structure that has a business license from the City of St.
17 Louis; conducts governmental business on behalf of the United States of America, State of
18 Missouri or City of St. Louis, or other authorized governmental entity; non-profit entity;
19 restaurants, banks, shops, gyms, financial institutions, libraries, museums, hotels and other
20 entities that invite the public as customers, patrons or visitors; place of employment; schools;
21 medical facilities; places of worship; and residential property of more than 4 dwelling units.

22 3. **Private Building or Private Place** means any residential property or lot of fewer than
23 5 dwelling units.

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1 **SECTION FOUR**

2 1. Enacted in lieu are the following new provisions:

3 17.16.275 Impeding and Interfering with Pedestrian and Vehicular Traffic.

4 A. No person, or persons congregating with another or others, shall stand or otherwise
5 position himself or herself in any public place in such a manner as to obstruct, impede, interfere,
6 hinder or delay the reasonable movement of vehicular or pedestrian traffic.

7 B. No person, or persons congregating with another or others, shall stand or otherwise
8 position himself or herself in any entrance, exit, corridor or passage of any public building in
9 such a manner as to obstruct, impede, interfere, hinder or delay the reasonable movement of
10 vehicular or pedestrian traffic.

11 C. No person, or persons congregating with another or others, shall stand or otherwise
12 position himself or herself at the entrance or exit to a private building, including driveway,
13 entrance to a garage and entrance to a parking pad, in such a manner as to obstruct, impede,
14 interfere, hinder or delay the reasonable movement of vehicular or pedestrian traffic.

15 D. No person, or persons congregating with another or others, shall for the purpose of
16 selling or offering for sale goods or services **without a license**; or soliciting a ride, employment,
17 business, or contributions from vehicular traffic:

18 1. stand or otherwise position himself or herself in any public place;

19 2. stand or otherwise position himself of herself at the entrance or exit to a private
20 building or public building, including the driveway, entrance/exit to a garage and entrance/exit to
21 a parking pad.

22 E. No person who has committed an act or acts within the description of subparagraphs
23 A through D above, upon being given an order by a police officer, state trooper, marshall, ranger,

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1 firefighter, Missouri authorized security guard, or other authorized law enforcement or
2 emergency response personnel to disperse, clear, or otherwise move, shall fail or refuse to obey
3 such order. Such failure or refusal shall constitute the separate offense of failure to obey a
4 dispersing order by a police officer, state trooper, marshall, ranger, firefighter, Missouri
5 authorized security guard, or other authorized law enforcement or emergency response
6 personnel.

7 F. Any person violating any of the provisions of this Ordinance shall, for each such
8 violation, be guilty of a Class A misdemeanor and upon conviction shall be subject to a fine of
9 no less than one hundred dollars (\$100) and not more than five hundred dollars (\$500) or by
10 imprisonment for not more than ninety days, or by both fine and imprisonment.


11 **SECTION THREE. Severability Clause.**

12 The provisions of this section are severable. If any provision of this ordinance is declared
13 invalid, that invalidity shall not affect other provisions of the ordinance which can be given
14 effect without the invalid provision.

15 **SECTION FOUR. Emergency Clause.**

16 The passage of this ordinance being deemed necessary for immediate preservation of the public
17 peace, health and safety, an emergency is hereby declared to exist within the meaning of Section
18 20 of Article IV of the Charter, and this ordinance shall be in full force and effect immediately
19 upon its passage and approval by the Mayor

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Clerk, Board of Aldermen

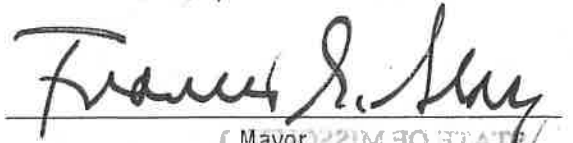

President, Board of Aldermen

Approved ☒

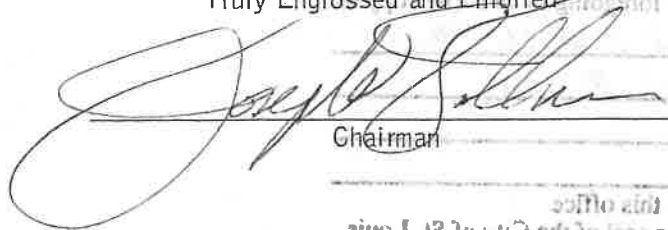
Disapproved ☐

Date

November 8, 2012


Mayor

Truly Engrossed and Enrolled


Chairman

Witness my hand and the seal of the City of St. Louis
this _____ day of _____ 20____

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